

The Lakewood Township Committee held a Virtual Meeting on October 20, 2022, at 5:30 PM, with the following present:

Mayor..... Raymond Coles
Deputy Mayor..... Menashe P. Miller

Committee Members..... Meir Lichtenstein
Michael D’Elia
Albert Akerman

Municipal Manager..... Patrick Donnelly
Municipal Attorney..... Steve Secare, Esq.
Harold Hensel, Esq.

Municipal Clerk..... Lauren Kirkman

Adequate notice of this meeting has been provided in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, and published on the Township’s website as well as in the Star Ledger on January 5, 2022. The public was invited to participate prior to the meeting by emailing premeetingcomments@lakewoodnj.gov. The public was invited to participate during the meeting via comments@lakewoodnj.gov or by using Cisco’s Web-Ex by either phone (audio only) or computer (audio/visual). The Meeting ID#/Password was 2631-379-5011. This meeting as advertised was broadcast live and recorded through on Townhall Streams at <https://townhallstreams.com/>

ROLL CALL –Present: Mayor Coles, Deputy Mayor Miller, and Committeeman Lichtenstein.
Absent: Committeeman D’Elia, and Committeeman Akerman
Also present: Township Attorney: Steven Secare; Attorney: Harold Hensel, Township Manager: Patrick Donnelly and Township Clerk: Lauren Kirkman.

SALUTE TO THE FLAG AND PRAYER

Mayor Coles opened the regular meeting at 5:30 p.m.

MOTION TO APPROVE MINUTES:
REGULAR MINUTES September 15, 2022.

Motion by Committeeman Lichtenstein, seconded by Deputy Mayor Miller
On Roll Call:
Affirmative: Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.
Abstain: None
Absent: Committeeman D’Elia and Committeeman Akerman

Motion carried to approve minutes.

DISCUSSION:

None

CONSENT AGENDA

The items listed below are considered to be routine by the Township of Lakewood and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

Mayor Coles asked for a motion to adopt the consent agenda Resolutions 2022-348 through 2022-378.

Motion by Committeeman Lichtenstein
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Lichtenstein (Abstain on 2022-371 only), Deputy Mayor Miller and Mayor Coles.

Abstain: Committeeman Lichtenstein (Resolution 2022-371 only)

Absent: Committeeman D'Elia and Committeeman Akerman

Motion Carried to adopt consent agenda.

Consent Agenda:.

- | | |
|----------|--|
| 2022-348 | Releasing A Performance Guarantee Posted By Arm Land Group, LLC., In Connection With SD #2026 (Clover St & Ocean Ave) Block 538 Lots 15-18 |
| 2022-349 | Releasing A Performance Guarantee Posted By Elihu Kahanow (Formally Ashley Management, LLC), In Connection With 145 Gudz Rd, Block 11.01 Lot 17 |
| 2022-350 | Releasing A Performance Guarantee Posted By Lakewood Investments, LLC., In Connection With ZB #3952 (James St) Block 344 Lots 1.01 & 1.02 |
| 2022-351 | Releasing A Temporary Certificate Of Occupancy Performance Guarantee Posted By CBRC Holdings Urban Renewal, LLC In Connection With SP #2315 (Cedarbridge Ave) Block 961.02, Lot 1.04 |
| 2022-352 | Requesting A Consolidation Of Block 1165, Lot 1, Block 1173, Lot 1, 2, 3, Block 1174, Lot 1, Block 1175, Lot 1, Block 1184, Lot 1, Block 1185, Lot 1, Block 1186, Lot 1, Block 1187, Lot 1, Block 1195, Lot 1, And Block 1196, Lot 1 |
| 2022-353 | Cancelling Various Grant Receivables And Grant Appropriated Reserve Balances |
| 2022-354 | Establish A Fund Balance Policy |

- 2022-355 Authorizing The Use Of A National Cooperative Contract For The Purchase Of Playground Surfacing and Installation
- 2022-356 Purchase Of Two (2) Mowers For The Department Of Public Works
- 2022-357 Purchase Of Two (2) New Rapid Deploy Mobile Trailer ALPR Camera Systems For The Police Department
- 2022-358 Authorizing The Electrical Work Needed For The Township's New Compactors
- 2022-359 Authorizing Flooring Renovation For The Police Department
- 2022-360 Authorizing The Purchase Of a 2023 Chevrolet Tahoe for the EMS
- 2022-361 Authorizing The Tax Collector To Void And Cancel The Taxes Due On Block 224, Lot 22 Relating To A Clerical Error
- 2022-362 Authorizing The Tax Collector To Void And Cancel The Taxes Due And Paid On Block 804, Lot 2 Relating To An Added/Omitted Assessment
- 2022-363 Authorizing A Refund Of Taxes On A Parcel Due To A Consolidation For Block 248.01 Lot 70
- 2022-364 Authorizing A Refund Of Taxes On A Parcel Due To A Consolidation For Block 248.01 Lot 70
- 2022-365 Canceling Taxes And Authorizing A Refund Pursuant To N.J.S.A 54:4-3.32
- 2022-366 Authorizing A Refund Of An Overpayment Of Taxes On Block 1051 Lot 90
- 2022-367 Authorizing A Refund Of Overpayment Of Taxes On Block 1159.02 Lot 2
- 2022-368 Authorizing Refund Of Overpayment Of Taxes On Block 1603 Lot 2.02
- 2022-369 Authorizing A Refund Based On A Tax court Judgment For Block 25 Lot 18
- 2022-370 Authorizing A Refund Based On A Tax Court Judgment For Various Block & Lots
- 2022-371 Authorizing Refunds Based On A Tax Court Judgments
- 2022-372 The Execution Of An Agreement With FMBA Local 380
- 2022-373 Referring An Amendment To Article IX ("Zoning Districts And Regulations") Section 18-906 Of The Unified Development Ordinance Of The Revised General Ordinances Of The Township Of Lakewood To The Planning Board For Review
- 2022-374 Authorizing The Bid Award For "Forest Avenue NJDOT FY 2022 Roadway Improvements" To "Earle Asphalt Company"

ORDINANCES FOR FIRST READING-

Clerk Kirkman read the following Ordinance by title only:

2022-044 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing and Vacating the Rights of the Public to Portions of Paper Streets Known as Coley Street North, Coogan Street North, Helgner Street North, Godfrey Street North and Radio Place, in the Township of Lakewood

Mayor Coles asked for a motion to introduce ordinance 2022-044.

Motion by Committeeman Lichtenstein
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: Committeeman D'Elia and Committeeman Akerman

Motion Carried to introduce Ordinance 2022-044 with a public hearing on **November 10, 2022**

Clerk Kirkman read the following Ordinance by title only:

2022-045 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing Lakewood UEZ Zone Boundaries Modification

Mayor Coles asked for a motion to introduce ordinance 2022-045.

Motion by Committeeman Lichtenstein
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: Committeeman D'Elia and Committeeman Akerman

Motion Carried to introduce Ordinance 2022-045 with a public hearing on **November 10, 2022**

Clerk Kirkman read the following Ordinance by title only:

2022-046 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending and Supplementing Article IX ("Zoning Districts And Regulations") Section 18-906 of the Unified Development Ordinance of the Revised General Ordinances of the Township of Lakewood

Mayor Coles asked for a motion to introduce ordinance 2022-046.

Motion by Committeeman Lichtenstein
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: Committeeman D'Elia and Committeeman Akerman

Motion Carried to introduce Ordinance 2022-046 with a public hearing on **December 8, 2022.**

ORDINANCES FOR SECOND READING-

Clerk Kirkman read the following Ordinance by title only:

2022-042 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40A:21-1 Et. Seq., Granting Abatement Of Local Property Taxes To Cedarbridge Properties, LLC For Facilities Located At Block 1608, Lot 2.01 And Authorizing The Mayor And/Or His Designee And Township Clerk To Execute Any And All Documents Necessary And Proper To Enter Into A Tax Abatement Agreement

Mayor Coles opened the public hearing on ordinance 2022-042.

Mayor Coles noted this was a 44,000 square foot building which was built at a cost of \$6,800,000 which is expected to create 200 new jobs.

Seeing no comment, Mayor Coles asked for a motion to adopt Ordinance 2022-042.

Motion by Committeeman Lichtenstein
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: Committeeman D'Elia and Committeeman Akerman

Motion Carried to adopt Ordinance 2022-042 after public hearing and second reading.

Clerk Kirkman read the following Ordinance by title only:

2022-043 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of

New Jersey, Authorizing the Tax Collector to Cancel any And all taxes for the tax years 2021 and 2022 due on Block 112, Lot 5, Qualifier X owned by Beth Medrash of Asbury Park, Inc. Pursuant to and in accordance with N.J.S.A. 54:4-3.6c

Mayor Coles opened the public hearing on ordinance 2022-043.

Seeing no comment, Mayor Coles asked for a motion to adopt Ordinance 2022-043.

Motion by Committeeman Lichtenstein

Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: Committeeman D'Elia and Committeeman Akerman

Motion Carried to adopt Ordinance 2022-043 after public hearing and second reading.

CORRESPONDENCE- None

MOTION TO APPROVE BILL LIST: Dated October 20, 2022.

Mayor Coles asked for a motion to approve the bills list of October 20, 2022.

Motion by Committeeman Lichtenstein

Second by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: Committeeman D'Elia and Committeeman Akerman

Bill List of October 20, 2022, was approved.

PUBLIC COMMENTS

The public was invited to participate prior to the meeting by emailing premeetingcomments@lakewoodnj.gov. The public was invited to participate during the meeting via comments@lakewoodnj.gov or by using Cisco's Web-Ex by either phone (audio only) or computer (audio/visual).

Mayor Coles opened the meeting to the public:

Dennis Kermis of Cathedral Drive stated his dissatisfaction with the idea of permitting Simcha Halls in schools. Mr. Kermis indicated that his street is already clogged with parked cars during school hours, if Simcha Halls were permitted this would make things worse. Mayor Coles explained this is for future applications.

Robert Shea, Jr. stated his firm had sent a letter in opposition to ordinance 2022-046 being introduced.

Seeing no one else online wanting to speak, Mayor Coles noted the below email from earlier in the day.

From: Shmiel Feldman
Subject: [External] Public comment regarding banquet halls

Dear Mayor and Committee,

I just read an article on FAA News regarding your proposed banquet hall ordinance.

I understand that today is for first reading and there is still ample time to make things even way better.

I have 1 suggestion and 1 question:

1) The parking requirements as proposed will not work. They will only make things worse. Banquet halls in schools need 1 parking space per person of the banquet hall capacity. Last year you made that requirement for banquet halls in hotels in the Cedarbridge zone. I think it's a great idea to have the same parking requirement for all new banquet halls in town.

2) I understand that most land use related ordinances require notice to affected property owners. How is the Township planning on fulfilling this requirement? Will you mail notices to all property owners in town?

Thanks!

Shmiel Feldman
Lodz Lane, Lakewood

Mayor Coles indicated the ordinance is in relation to new applications and has the same requirements as Schuls. Mayor Coles indicated that the Planning Board had been asking for something to be done in relation to parking for Simcha halls.

From: Shaya Stern
Subject: [External] Banquet hall - public comment

Dear Mayor and Committee,

This email is for public comment.

I am writing regarding with 2 short comments regarding the banquet halls ordinance.

1) I hope that the proposed parking requirement is a typo. This town needs a highly hugeical higher number of parking spaces for banquet halls. Perhaps 1 parking space per patron of the banquet hall capacity (as you required for banquet halls in hotels in the Cedarbridge zone) would make way more sense.

2) I think that the industrial park should be excluded from the list of permitted zones. Banquet halls are not a good mix for industrial park tenants.

It's a great opportunity to finally legalize banquet halls in schools. Let's take the time now to do this the right way so it's a good fit for everyone instead of a disaster for everyone.

Make Lakewood a Decent Place!

Thanks!

Shaya Stern
Pine Street resident

From: Eve Teichman
Subject: [External] Public comment

Dear Mayor and Committee,

I have a couple of comments and questions regarding items on the agenda:

1) Kudos on your contract award for repaving of Forest Avenue! Smoother roads are a win-win for everyone.

2) The purchase of the mobile cameras for the police department is also a great idea. Currently the Township relies on the Sheriff's office to bring cameras to large events. The Township having their own additional "set of eyes in the sky" at large events is definitely a great idea!

3) Regarding the police department floor renovations - is this project being done in conjunction with the construction of the Inspection Department building?

On that note, can you give me a status on the construction of the Inspection Department building?

4) Regarding the banquet halls in schools, it's a great idea but we need way more parking!

Thanks

Eve Teichman

Mayor Coles commented that Forest is overdo and the camera is great. Mayor Coles indicated that the floors are not related to the inspection building.

From: Simcha Steinberg

Subject: [External] Public comment regarding banquet halls

Dear Mayor and Committee,

This email is for public comment regarding the proposed banquet hall ordinance.

I am wondering how you came up with the parking proposal.

I used to live down the block from a banquet hall. The police department needed to be called regularly to deal with cars parked illegally and even blocking driveways.

Let's make this ordinance right by doing a serious jacking up to the parking requirement.

Last year you adopted an ordinance permitting banquet halls in hotels in the Cedarbridge Corporate zone - at 1 parking space per patron of the banquet hall capacity.

I think that's a great model to work off of for banquet halls in schools as well.

Thank you for your consideration!

Simcha Steinberg
Lanes Mill Rd

From: Mordechai Schwartz

Subject: [External] Public portion comment

Dear Mayor and Committee,

This email is for public comment.

I am writing regarding the banquet halls ordinance.

I am happy to see that the Committee is finally taking formal action to legalize banquet halls in schools as that will hopefully put an end to future lawsuits against banquet halls. It will also ease tensions between school developers and neighbors who will no longer need to fight at the Planning Board as to whether or not banquet halls are permitted.

My only issue is regarding the parking requirement.

As the proposed ordinance stands, you may be causing more harm than good by permitting banquet halls but creating parking nightmares.

In April 2021, the Committee adopted an ordinance permitting banquet halls in hotels in the Cedarbridge Corporate Campus, at 1 parking space per 1 person of the banquet hall capacity.

I urge the Committee to now adopt the same parking requirement for banquet halls in schools.

Respectfully submitted,

Mordechai Schwartz
325 7th Street

From: Shloimy Weiss

Subject: [External] Public comment - public portion

Dear Mayor and Township Committee,

This email is for public comment.

I am writing regarding the banquet halls ordinance, and also regarding the LIC.

First, I am basically in favor of the Township Committee finally legalizing banquet halls in schools. Just recently, a school banquet hall was shut down in court over the issue, so I am glad to see the Township Committee doing the right thing to fix the issue.

However, I have 3 concerns:

1) The parking requirements as proposed are wholly inadequate, as evidenced by the many parking nightmares on local roads outside banquet halls. In 2021 the Committee legalized banquet halls in hotels at 1 parking space per person of the banquet hall capacity. I urge the Committee to require the same parking requirement now for banquet halls in schools.

2) In case you want to compromise and require some additional parking, but not this much parking, take note that a reading of the proposed ordinance does not make it clear that the banquet hall parking needs to be in addition to the school parking, it seems that the parking for the school can be "shared" with the banquet hall. This is inadequate and needs to be clarified in the final version of the ordinance.

3) As proposed, banquet halls will be permitted in schools in all zones which permit schools - including the industrial park. There currently is a lot of on-street parking at the schools with banquet halls in the Industrial park. Adding the permissibility of additional banquet halls in the Industrial park does not sound like a good idea.

On this note, I wish to raise a serious problem regarding the LIC. The LIC held a meeting yesterday. I wanted to submit public comment regarding banquet halls in the Industrial park. In accordance with their draft agenda that was posted online, I submitted my comments during the meeting. However, very sneakily, shortly before the start of the meeting, the LIC posted a revised agenda that stated that public comment needed to be submitted 8 hours prior to the meeting - thus they were able to ignore my public comment.

I find this action to be unfair. I am now asking the Committee to take this up with the LIC and figure out why they are working extra hard to suppress my public comment.

Thank you!

Shloimy Weiss
655 Princeton Avenue, Lakewood

Mayor Coles indicated this matter had been referred to the Director of the LIC.

Mayor Coles noted in response to the following emails, that ordinance 2022-046 was for the purpose to make more parking, not less and make things better.

From: Shloimy Spira
Subject: Let's make Lakewood Great Again
This Thursday, the committee plans to vote on First Reading of Ordinance 2022-046 to legalize catering facilities & banquet halls as an accessory use in all schools, So where ever schools are permitted (which is everywhere) the school operators can now also have Simcha Halls and neighbors will be forced to suffer from crazy congestion with no right to object.

Further, according to the proposed Ordinance, a banquet facility (at 4000 Square feet, not including kitchen, storage area, 2 Lobbies)
Would require only 40 PARKING SPACES ! These halls regularly have hundreds of participants and bring hundreds of cars. How is the committee's proposed ratio of only 1 Car per 100 Square feet anywhere enough??

From: Dvorah Waldman
Subject: [External] Comment for tomorrow's meeting

Hello,
I wanted to express my concerns regarding the proposed ordinance to allow banquet halls all over town with only a nominal parking requirement. We've all had the unpleasant experience of attending an event in Brooklyn and spending precious time looking fruitlessly for parking. My own brother's vort took place in Brooklyn and, after driving in from Lakewood with the kids, we were simply unable to find parking anywhere and my husband and I were forced to take turns attending the simcha and circling in the car.

Unfortunately this ordinance seeks to turn Lakewood into the new Brooklyn. If surveyed, how many residents do you think would choose to endure a parking nightmare at each simcha, then being forced to walk several blocks, with kids, in any weather, from a street spot to the hall? (I actually had a similar experience in the Forest Park shul at a nephew's bris, in snowy icy weather. I was unable to find a spot anywhere in the development, until a kind neighbor offered me use of her driveway. My daughter then slipped in the ice on the way to the hall, causing us to miss the bris.)

Please consider the needs of your residents and require halls to provide sufficient parking (at least 1 spot for every 2 attendees).

Thank you,
Dvora Waldman

From: A Birnbaum
Subject: [External] Banquet halls

Dear Township Committee members,
I was horrified to hear that such an ordinance is even under consideration.
Instead of trying to mitigate the damage and danger that has been inflicted on Lakewood residents by the indiscriminate granting of variances and approvals by the zoning and planning boards which serve at the pleasure of the Township Committee, you are seeking to give a virtual carte blanche to the construction of banquet halls with woefully inadequate parking in schools that will make traffic woes in this town exponentially worse. This is **NOT** only a matter of severe inconvenience to the taxpayers you are purported to serve but rather poses **LIFE THREATENING DANGER** to Lakewood citizens. Approval of this will without a doubt lead to loss of life on the already impossibly congested roads of Lakewood. I would like the Township Committee members to think about how you each individually would feel, if this was your own son or daughter or grandchild who was killed, G-d forbid, on Lakewood roads because of the impossible traffic situation and the resultant aggressive driving which you have enabled. I plan on doing whatever I can and using every means of influence at my disposal to raise my voice on this, and to encourage whomever I can to vociferously protest, and raise their voices about the continued abuse of Lakewood citizens that is being inflicted on us by the Lakewood Township Community and those that serve at their pleasure.
Please read this email publicly at the meeting today.

Sincerely yours,
Abraham Birnbaum
935 East County Line Road

From: Adam Bergstein
Subject: [External] Ordinance 2022-046 / School-based Banquet Halls

The Committee voted earlier on Res. 2022-0373 to refer its draft Ordinance on the legalization of school-based simcha halls for the review of the Planning Board in order to receive its recommendation.

The proposed Ordinance would require a minimum requirement of parking spaces at a ratio of just 1 parking spot for every 100 square feet of Hall space (when the hall size is at 2000 square feet or larger).

However, this proposal is wrong headed. Although the UDO does indeed allow for this parking regulation for shuls, anyone driving in the vicinity of the shul-based simcha halls will quickly see that the parking provided regulation is severely insufficient and heavy traffic jams are regular occurrences. The neighbors and simcha attendees suffer greatly from these traffic nightmares. Lakewood has grown exponentially and many more vehicles attend these affairs and the small number of off-street parking is nowhere near enough.

Further, the township last year adopted Ordinance 2021-024 requiring hotel-based Banquet Halls to have a minimum number of spaces with a reasonable ratio of one (1) space per every (1) attendee who can be accommodated in the facility.

My question is why the Committee decided to opt in choosing to recommend that school-based simcha halls be required to only have the unreasonably low ratio of 1 car per 100 feet? The committee should have instead recommended to utilize the hotel-based ratio of 1:1.

The Committee has the choice to send a reasonable draft to the Planning Board, instead of the ridiculous (in my opinion) proposal which will clearly make things worse than they already are.

Can the Mayor please answer why the committee chose the shul standard as opposed to the hotel standard?

Thank you.

Seeing no further comments, Mayor Coles closed the public comment portion. Attorney Secare requested that the Clerk in addition to sending over the ordinance to the planning board forward the public comments.

COMMENTS FROM COMMITTEE MEMBERS –

Committeeman D’Elia was not present.

Committeeman Akerman was not present.

Committeeman Lichtenstein had no comments.

Deputy Mayor Miller had no comments.

Mayor Coles had no comments.

CLOSED SESSION: Attorney Secare advised there was no need for executive session.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Deputy Mayor Miller, with all in favor to adjourn the meeting. Meeting adjourned at 5:52 PM.

Lauren Kirkman, RMC, CMR
Township Clerk